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U.S. NUCLEAR REGULATORY COMMISSION . . ATOMIC SAFETY AND LICENSING APPEAL BOARD

RE: PHILA. ELEC.CO. Limerick Gen. Sta. Units 1 & 2

DOCKET No. 50-352,353 *OL*

ANTHONY/FOE APPEAL FROM ASLB MEMORANDUM AND ORDER OF 6/4/85 DENYING OUR PETITION
OF 4/30/85 TO REOPEN THE RECORD ON LIMERICK EFFLUENT RELEASES.

June 7, 1985

R.L. Anthony/FOE appeals LB's Memorandum and Order of 6/4/85 denying our petition to reopen the record on the basis of new information set forth in PECO's semi-annual effluent release report. We ask the Board to reverse this decision.

We believe that LB erred in denying our appropriate petition of 4/30/85 and our Response to the Board's Order of 5/8/85, 5/14/85 :

1. We could not have known Of PECO's intention to modify isolation set points before receiving the effluent report.
2. There is no other means to protect our interest.
3. We can add significant information to the record via the testimony of our expert witness, and we have not been afforded an opportunity to present this.
4. This testimony can add to the protection of the public health and safety
5. Our health and safety are threatened by effluent releases from Limerick.
6. Since evacuation contentions are still under consideration by LB, our petition will not further delay the proceedings.
7. A totally different result on the threat of ongoing radiation releases from PECO's operation of the Limerick could result from reopening the record on this contention.

We petition the Board to reverse LB's decision and to order LB to reopen the record.

Respectfully submitted,

cc: NRC- AB Judges, ASLB, Staff Counsel, Docketing, H. Denton
PECO, Other of Serv. List.

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